

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

<b>FRAY LYNCH,</b>	:	
	:	
<b>Plaintiff,</b>	:	
	:	
<b>v.</b>	:	<b>C.A. NO. 06-351 JJF</b>
	:	
<b>CITY OF WILMINGTON,</b>	:	<b>JURY TRIAL DEMANDED</b>
	:	
<b>Defendant.</b>	:	

**DEFENDANT'S PROPOSED VOIR DIRE\***

Good morning, ladies and gentlemen. I am Judge Farnan, and I will be presiding over the trial for which a jury is about to be drawn in the case. The parties are Fray Lynch, the plaintiff; and the City of Wilmington, the defendant. Briefly stated, this is a case involving allegations of sexual harassment and retaliation. The trial may last up to four days. I time my trials, so the attorneys will have to complete their trial presentations within these limits. While it appears unlikely at this point, jury deliberations may require you to be present longer than that number of days.

I am going to ask you a series of “yes” or “no” questions, the purpose of which is to (1) enable the court to determine whether or not any prospective juror should be excused for cause; and (2) enable counsel for the parties to exercise their individual judgment in helping to determine the final composition of the jury. If any of you have a “yes” answer to any of my questions, please keep track of that in your own mind. When I have concluded asking questions I will ask all those who had a “yes” answer to any of my questions to raise their hands. Then we will call you to the bench individually to speak with you about your affirmative response or responses.

1. As I mentioned, this case is expected to take four or less business days to try. Is there any member of the panel who would be unable to sit as a juror in the case for that period of time?

Yes \_\_\_\_\_ No \_\_\_\_\_

\*Defendant's counsel has requested Plaintiff's proposed voir dire, so as to meet this Court's deadline of submitting the voir dire one week in advance of the pre-trial conference that is scheduled for December 7, 2007. As of November 30, 2007, Plaintiff has not disclosed any proposed voir dire to Defendant's counsel. Defendant reserves the right to object to any voir dire that Plaintiff may propose.

2. Plaintiff Fray Lynch is represented by Robert T. Vance, Esquire, of the Law Offices of Robert T. Vance and G. Kevin Fasic, Esquire, of the Law Offices of G. Kevin Fasic. Do you know, or are you a client of these attorneys or their law firm?

Yes \_\_\_\_\_ No \_\_\_\_\_

3. Defendant, City of Wilmington, is represented by Alex J. Mili, Jr., Esquire of the City of Wilmington Law Department. Do you know Alex J. Mili, Jr., Esquire or any person who works for the City of Wilmington?

Yes \_\_\_\_\_ No \_\_\_\_\_

4. Is any member of the panel or their family member related to or personally acquainted with Plaintiff Fray Lynch?

Yes \_\_\_\_\_ No \_\_\_\_\_

5. Is any member of the panel or their family member related to or personally acquainted with Wilmington City Councilman Michael A. Brown?

Yes \_\_\_\_\_ No \_\_\_\_\_

6. Is any member of the panel or their family member related to or personally acquainted with any current or past members of Wilmington City Council?

Yes \_\_\_\_\_ No \_\_\_\_\_

7. Are you or any of your close friends or relatives presently or formerly employed by the City of Wilmington, the Wilmington Police Department or, any other law enforcement agency?

Yes \_\_\_\_\_ No \_\_\_\_\_

8. Do you know any of the witnesses who will appear in this trial?

They are: Monica Gonzalez-Gillespie

John Burns

Gregory Ciotti

Richard Armorer

Paris Armorer

[Defendant reserves the right to supplement this list if or when Plaintiff discloses her witnesses for the Pre-trial stipulation.]

9. Do you have any feelings or beliefs about sexual harassment cases in general or damages awards that would influence your decision in a case like this one?

Yes \_\_\_\_\_ No \_\_\_\_\_

10. Would you be able to render a fair and impartial verdict based solely upon the evidence presented in court and under the law as presented to you?

Yes \_\_\_\_\_ No \_\_\_\_\_

11. Have you or any member of your family ever made a claim or had a claim made against you for sexual harassment?

Yes \_\_\_\_\_ No \_\_\_\_\_

12. Do you know of any other matter which you believe should be called to the Court's attention as having some bearing on your qualifications or ability to serve as a juror, or which you think may prevent you from rendering a fair and impartial verdict based solely on the evidence presented and the Court's instructions as to the law?

Yes \_\_\_\_\_ No \_\_\_\_\_

13. Are you acquainted with the judge in this case?

Yes \_\_\_\_\_ No \_\_\_\_\_

14. Do you have any reason to favor or disfavor the attorneys who represent Fray Lynch?

Yes \_\_\_\_\_ No \_\_\_\_\_

15. Do you have any reason to favor or disfavor the attorney who represents the City of Wilmington?

Yes \_\_\_\_\_ No \_\_\_\_\_

16. Have you or any of your close friends or relatives ever been a plaintiff or a defendant or any other party in a criminal or civil court proceeding?

Yes \_\_\_\_\_ No \_\_\_\_\_

17. Do you have any personal knowledge of this case, or have you read about it or heard it discussed or have any opinion regarding it?

Yes \_\_\_\_\_ No \_\_\_\_\_

18. Do you have any strong feelings about lawsuits in general?

Yes \_\_\_\_\_ No \_\_\_\_\_

19. Do you have any strong feelings about the justice system?

Yes \_\_\_\_\_ No \_\_\_\_\_

20. Would that experience or feeling affect your ability to fairly and impartially serve as a juror in this case?

Yes \_\_\_\_\_ No \_\_\_\_\_

21. Do you have a special disability whether visual or hearing, or other health problem that would make it difficult or impossible for you to serve as a member of the jury in this case?

Yes \_\_\_\_\_ No \_\_\_\_\_